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FILED
DISTRICT COURT OF GUAM
AUG 30 2004
MARY L. M. MORAN
CLERK OF COURT

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DISTRICT COURT OF GUAM
TERRITORY OF GUAM

Civil Case No. 04-00018

THE ESTATE OF OLIMPIO MONTOYA,
By and Through ALFREDO ESPIRITU
MONTOYA, Special Administrator,
ANDREA MONTOYA, Surviving Spouse,
RAYMUNDO E. MONTOYA, JOSEFINA
AGUILAR, BAYANIE MONTOYA,
JULIETA M. REYES, ALFREDO
ESPIRITU MONTOYA and OLIVER
MONTOYA, Surviving Children,

Plaintiffs,

vs.

ORDER

CONTINENTAL AIRLINES, INC.,
CONTINENTAL MICRONESIA, INC.,
and DOE INSURANCE
COMPANIES I through V,

Defendant.

At the August 25, 2004 Scheduling Conference, the parties requested the Magistrate Judge to preside over a settlement conference at the earliest convenient date. Having been advised that the parties have agreed to hold a settlement conference on September 2, 2004, the Court hereby issues this Order and instructs the parties to read this Order carefully as it controls the settlement procedure for this case.

- 1. Presence of Lead Counsel.** Unless a party is proceeding *pro se*, the attorney attending the settlement conference must be the lead trial counsel.
- 2. Presence of All Parties.** All parties or the party's representative to the litigation must


1 attend the settlement conference. A representative with *unrestricted* settlement authority must
2 appear on behalf of corporations and other business entities.

3 **3. Insurance Matters.** In cases involving insurance, a representative with *unrestricted*
4 settlement authority must appear on behalf of the insurance company.

5 **4. Confidential Settlement Letters.** Each party must submit a confidential settlement
6 letter, no more than five (5) pages in length, no later than Tuesday, August 31, 2004. The letter
7 should not be filed, but should be submitted in a sealed envelope and labeled "SEALED:
8 CONFIDENTIAL SETTLEMENT LETTER FOR IN CAMERA REVIEW ONLY." The letter
9 should set forth the party's statement of the case, including strengths and weaknesses, and the
10 party's settlement position, including the last offer or demand made by the party and a statement
11 of the offer or demand the party is prepared to make at the settlement conference. The
12 settlement conference letter shall be returned to the party that submitted the letter at the end of
13 the settlement conference.

14 **5. Date and Time of Conference.** The settlement conference is scheduled for Thursday,
15 September 2, 2004 at 10:00 a.m.

16 SO ORDERED this 30th day of August, 2004.

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18 JOAQUIN V.E. MANIBUSAN, JR.
19 U.S. Magistrate Judge
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